

REMARKS/ARGUMENTS

Claims 1-7 are pending in the Application. All claims were rejected in the Office Action of July 24, 2008 as being unpatentable over Collins et al. (U.S. Patent Publication No. 2004/0160151). Applicants respectfully disagree and request a reconsideration of the rejection.

Applicants thank the Examiner for the courtesy extended to the Applicants' attorney during the telephone interview of October 10, 2008. As discussed during the interview, Collins et al. discloses a beverage storage rack 40 with a plurality of bottle recesses 65-68. Because the storage rack 40 has sloping side walls 43 and 44, each bottle recess 65-68 is positioned on a plane different from the plane of its adjacent recess. See, Collins, par. [0015], Figs. 2 and 4. Thus, the limitations of the independent Claim 1 reciting "two adjacent first compartments, which are equal in length, are parallel and substantially run together with the same horizontal orientation of respective wider area and narrower area, the two first compartments being on a same first plane, and a third, inverted compartment on an elevated second plane elevated relative to the first plane," are not disclosed or even suggested by Collins. In fact, Collins teaches away from the recited limitations by explaining with respect to Fig. 4 that when each bottle 75 is "situated in a corresponding set of opposing arcuate recesses 65-68," the sloping configuration of the beverage rack 40 allows each bottle 75 to be adequately displayed on its own level. See, Collins, par. [0017].

Therefore, Claim 1 is allowable over the cited prior art. Claims 2-7, dependent on claim 1 are similarly allowable over the cited prior art for at least the reasons given with respect to claim 1 and, further, on their own merits. Favorable reconsideration of the rejection and allowance of all pending claims is respectfully requested.

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON OCTOBER 10, 2008
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Respectfully submitted,



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